Remarks

In the present response, claims 2 – 3 and 9 – 10 are canceled. Claims 1, 4 – 8, and 11 – 20 are presented for examination.

Claim Rejections: 35 USC § 103(a)

Claims 1, 2, 5 – 9, and 11 – 20 are rejected under 35 USC § 103(a) as being unpatentable over USPN 6,975,993 (Keiller) in view of USPN 6,798,786 (Lo). These rejections are traversed.

Claims 1, 2, 5 – 9, and 11 – 20 recite one or more elements that are not taught or suggested in Keiller in view of Lo. These missing elements show that the differences between the combined teachings in the art and the recitations in the claims are great. As such, the pending claims are not a predictable variation of the art to one of ordinary skill in the art. Some examples are shown below for the independent claims.

As one example, independent claim 1 recites assessing resources by monitoring both port utilization and processing utilization of each of a plurality of different ASR engines to determine which of the plurality of different ASR engines are busy serving users. The claim then recites assigning the speech utterance to a single ASR engine when the plurality of different ASR engines are busy such that the port and processing utilizations are within a threshold value; and assigning the speech utterance to the plurality of different ASR engines when the plurality of different ASR engines are not busy such that the port and processing utilizations are within a threshold value. Keiller in view of Lo does not teach or suggest these claim elements.

Keiller teaches that "the speech manager 6 checks at step S906 in FIG. 28 whether there are ASR engines available on personal computer connected to the network" (see Keiller at column 20, lines 60-62). Keiller does not teach or even suggest thresholds or monitoring both port and processing utilizations as recited in claim 1.

Lo teaches "a method of managing calls in a telephony system includes defining a plurality of communities each including one or more communication endpoints and assigning one or more usage threshold values to a link between communities" (see Lo at column 2, lines 3-7). Lo has a call server that limits bandwidth usage when usage reaches a predetermined threshold (see Lo at column 7, lines 46-48). Lo uses thresholds

in a very different manner than the recitations of claim 1. Lo does not monitor both port utilization and processing utilization of ASR engines as recited in claim 1. Furthermore, Lo does not assign ASR engines based on whether the port and processing utilizations are within a threshold. Instead, Lo uses thresholds to limit bandwidth usage of callers.

As one example, independent claim 8 recites means for evaluating resources of the ASR system to determine whether the ASR system is busy processing utterances of users by monitoring port utilization and available processing power of each of a group of ASR engines. The claim then recites means for selecting that utilizes the evaluation of resources to select the single ASR engine when the port utilization and available processing power are within a threshold and the ASR system is busy processing the utterances of the users and to select the group of ASR engines when the port utilization and available processing power are within another threshold and the ASR system is not busy processing the utterances of the users.

Keiller does not teach or even suggest thresholds and monitoring port utilization and available processing power as recited in claim 8. Lo discusses thresholds but uses thresholds in a very different method to limit bandwidth usage of callers.

As one example, independent claim 14 recites a resource management application that assesses resources being used by each of the plurality of different ASR engines by monitoring port utilization and available processing power of each of the plurality of different ASR engines. The claim then recites that the computer system selects a single ASR engine to analyze a speech utterance when the system is busy such that the port utilization and the processing power are within a threshold and selects multiple ASR engines to analyze the speech utterance when the system is not busy such that the port utilization and the processing power are within another threshold.

Keiller does not teach or even suggest thresholds and monitoring port utilization and available processing power as recited in claim 14. Lo discusses thresholds but uses thresholds in a very different method to limit bandwidth usage of callers.

The differences between the claims and the teachings in the art are great since the references fail to teach or suggest all of the claim elements. As such, the pending claims are not a predictable variation of Keiller in view of Lo to one of ordinary skill in the art.

For at least these reasons, the claims are allowable over the art of record.

Claim Rejections: 35 USC § 103(a)

Claims 3, 4, and 10 are rejected under 35 USC § 103(a) as being unpatentable over USPN 6,975,993 (Keiller) in view of USPN 6,798,786 (Lo) and US publication number 2005/0044228 (Birkestrand). These rejections are traversed.

As explained above, Keiller in view of Lo does not teach or suggest all elements of the independent claims. Birkestrand fails to cure these deficiencies. For at least the reasons given for independent claims 1 and 8, respective dependent claims 3, 4, and 10 are allowable over Keiller in view of Lo and Birkestrand.

CONCLUSION

In view of the above, Applicants believe that all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. 832-236-5529. In addition, all correspondence should continue to be directed to the following address:

Hewlett-Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Respectfully submitted,

/Philip S. Lyren #40,709/

Philip S. Lyren
Reg. No. 40,709
Ph: 832-236-5529